

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Benjamin Shelton	Team: Squad #6	CCRB Case #: 201803244	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 04/25/2018 9:30 AM	Location of Incident: [REDACTED]	Precinct: 84	18 Mo. SOL 10/25/2019	EO SOL 10/25/2019	
Date/Time CV Reported Wed, 04/25/2018 12:30 PM	CV Reported At: Precinct	How CV Reported: In-person	Date/Time Received at CCRB Wed, 04/25/2018 1:52 PM		
<b>Complainant/Victim</b>	<b>Type</b>	<b>Home Address</b>			
[REDACTED]	[REDACTED]	[REDACTED]			
<b>Subject Officer(s)</b>	<b>Shield</b>	<b>TaxID</b>	<b>Command</b>		
1. POF Rhoda Truss	08076	921824	084 PCT		
<b>Witness Officer(s)</b>	<b>Shield No</b>	<b>Tax No</b>	<b>Cmd Name</b>		
1. SGT Michaelang Hidalgo	00497	936043	075 PCT		
2. POM Admir Paljevic	13561	959870	084 PCT		
<b>Officer(s)</b>	<b>Allegation</b>			<b>Investigator Recommendation</b>	
A.POF Rhoda Truss	Abuse: Police Officer Rhoda Truss refused to provide her name and shield number to § 87(2)(b) [REDACTED]			[REDACTED]	

## Case Summary

On April 25, 2018, § 87(2)(b) filed the following complaint in person at the 84<sup>th</sup> Precinct stationhouse. § 87(2)(b) was the sole victim in this complaint. The CCRB received this complaint on April 25, 2018.

On April 25, 2018, at approximately 9:30 a.m., § 87(2)(b)'s vehicle overheated. He pulled over in a bus stop in front of § 87(2)(b) in Brooklyn. PO Rhoda Truss stopped her vehicle near § 87(2)(b)s. She instructed § 87(2)(b) to move his car or he would receive a summons. When § 87(2)(b) refused to move his vehicle, she issued him a summons. § 87(2)(b) asked for her name and shield number, which PO Truss provided too quickly for § 87(2)(b) to comprehend. § 87(2)(b) requested a supervisor and when a supervisor arrived, § 87(2)(b) again asked for PO Truss' name and shield number. PO Truss told him that she already gave him that information, and did not repeat the information (**Allegation A: Abuse of authority,** § 87(2)(g)).

There is video evidence of the incident, recorded and provided by § 87(2)(b) (Board Review 01-02). However, it did not cover any portion of the incident where any FADOs would have occurred.

§ 87(2)(b)

## Findings and Recommendations

### **Allegation A—Abuse of Authority: PO Rhoda Truss refused to provide her name and/or shield number to § 87(2)(b)**

It is undisputed that on April 25, 2018, at approximately 9:30 a.m., § 87(2)(b) stopped his vehicle in a bus stop in front of § 87(2)(b) in Brooklyn. PO Rhoda Truss stopped her vehicle near § 87(2)(b)s. She instructed him to move his vehicle multiple times, which § 87(2)(b) refused to do. PO Truss issued a summons to § 87(2)(b) for parking in a no standing zone (Board Review 03). A supervisor, Sgt. Michaelangelo Hidalgo, arrived after § 87(2)(b) requested one from PO Truss.

As per § 87(2)(b)'s testimony, after PO Truss issued him a summons, § 87(2)(b) requested her name and shield number. (Board Review 04-05). She provided those details before returning to her vehicle, however, she spoke too quickly for § 87(2)(b) to comprehend them. § 87(2)(b) requested a supervisor and began recording PO Truss in her vehicle. After a minute, PO Truss drove away. Three to four minutes later, PO Truss returned to the scene with her patrol supervisor, Sgt. Hidalgo, and his operator, PO Admir Paljevic. Sgt. Hidalgo identified himself as PO Truss' supervisor. After speaking with Sgt. Hidalgo, § 87(2)(b) asked PO Truss for her name and shield number a second time. PO Truss replied, "I already told you," before returning to her vehicle and leaving the scene. § 87(2)(b) stated that Sgt. Hidalgo and PO Paljevic were standing directly next to him when he requested PO Truss' name and shield number this second time.

PO Truss described § 87(2)(b) as loud and boisterous throughout their interaction. (Board Review 06). After § 87(2)(b)'s continued refusal to move his vehicle, PO Truss issued him a summons for parking in a no standing zone. While she returned to her vehicle, § 87(2)(b)

asked for her name and shield number. PO Truss provided both details immediately. § 87(2)(b) then requested a supervisor be called, which PO Truss did. Sgt. Hidalgo arrived with his operator after approximately 15 minutes. Sgt. Hidalgo got a brief explanation from PO Truss. He then spoke with § 87(2)(b). After their conversation, § 87(2)(b) returned to his vehicle and drove away from the scene. All three officers then returned to their vehicles and left. PO Truss stated that § 87(2)(b) only requested her name and shield number the one time, before he requested her supervisor. She stated that she never refused to provide her name or shield number and that her badge was fully visible on her uniform throughout her interaction with § 87(2)(b).

Sgt. Hidalgo (he stated that he is assigned to the 75<sup>th</sup> Precinct but turns out for the 84<sup>th</sup> Precinct) stated that he was requested to the scene by PO Truss regarding a “police incident” while supervising patrol with his operator, PO Paljevic (Board Review 07). When he arrived on scene, Sgt. Hidalgo could see immediately that § 87(2)(b) was upset. He was holding a phone in his hand. When he approached § 87(2)(b) he asked Sgt. Hidalgo for his name and whether he was a boss. Sgt. Hidalgo provided his rank and name, explaining that he was the patrol supervisor. § 87(2)(b) told him that he was recording the incident on his cell phone. He requested the identification of each officer on scene. He subsequently approached the three officers, recording their badges with his phone. All three officers allowed their information to be recorded. Sgt. Hidalgo stated that both PO Truss and PO Paljevic uttered their names and shield numbers. All three officers’ badges were clearly visible upon their uniform. Sgt. Hidalgo stated that in his presence, § 87(2)(b) never specifically asked for PO Truss’ name or shield number. § 87(2)(b) never complained to him about PO Truss refusing to provide her name or shield number.

PO Paljevic had no independent recollection of this incident (Board Review 08). When prompted with a synopsis of the incident, a photograph of § 87(2)(b) and the summons that PO Truss issued, PO Paljevic still did not recall anything.

§ 87(2)(b), § 87(2)(g)

### Civilian and Officer CCRB Histories

- § 87(2)(b) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- PO Truss has been a member of service for 20 years and this is her first time as a subject in a CCRB complain (see Officer History).

### Mediation, Civil and Criminal Histories

- § 87(2)(b) [REDACTED]  
[REDACTED]  
[REDACTED]
- A FOIL request was submitted with the New York City Office of the Comptroller for a Notice of Claim and will be added to the case file upon receipt.
- According to the Office of Court Administration (OCA), § 87(2)(b) [REDACTED] has no history of convicts in New York City (Board Review 10).

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Squad No.:          6    

Investigator:	_____	Inv. Benjamin Shelton	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	IM Jessica Peña	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date